

Notice of Allowability

Application No.

10/766,137

Examiner

Tuyet Vo

Applicant(s)

BELLIVEAU, RICHARD S.

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/31/2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUYET VO
PRIMARY EXAMINER

DETAIL ACTION

Remarks

Applicant's argument filed 10/31/2005 has been persuasive and no any prior art has been applied to against the claimed invention, therefore, the application is put in condition for allowance except for the presence of claims 19 to 30 non-elected without traverse. Accordingly, claims 19-30 have been cancelled.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as following:

In the claim, cancel claims 19-30.

claim 1, line 5, delete "can be" and insert --is-- before "remotely--;
line 10, delete "towards" and insert --toward-- after

"directed"; and

line 12, delete "can homogenize" and insert --homogenizes--
after "system".

claim 3, line 2, delete "can vary" and insert --varies-- after "system".

claim 4, line 2, delete "can vary" and insert --varies-- after "system".

claim 8, line 2 and line 3, delete "communications" and insert --
communication-- before "port"; and

line 3, delete "can receive" and insert --receives-- after
"port".

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claim 9, line 3, delete “can receive” and insert --receives-- after “system”.

claim 10, line 3, line 13 and line 16, delete “communications” and insert --communication-- before “port”;

line 8, delete “can be” and insert --is-- before “remotely--;
and

line 13 and line 16, delete “can receive” and insert --receives-- after “port”.

claim 15, line 6 and line 18, delete “communications” and insert --communication-- before “port”;

line 8, delete “can be” and insert --is-- before “remotely--;
and

line 16, delete “may”.

Claim 16, line 3, delete “can vary” and insert --varies-- after “system”.

The above noted amendment has been added in order to provide a clarification in claim language.

Reasons For Allowance

2. Claims 1-18 are allowed.
3. The following is an examiner's statement of reasons for allowance: the prior art of record fails to disclose lamp housing is remotely positioned in relation to a base by a motor, the lamp housing comprising a lamp, a light valve and a variable homogenizing system, wherein the lamp creates a first light directed toward the variable homogenizing system and the variable homogenizing system homogenizes the first light to create a second light as required in claims 1, 10 and 15.
4. The remaining dependent claims are allowable for at least above reason.
5. The prior art made of record and not relied upon is considered pertinent to applicants'

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disclosure. None of cited/recorded prior arts stands alone or combination with others discloses all limitation required in claim invention.

Correspondence

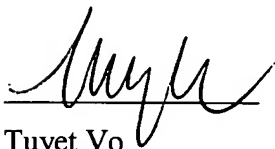
Any comments considered necessarily by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyet Vo whose telephone number is (571) 272 1830. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272 1834. The fax phone number for the organization where this application or proceeding assigned is (571) 273-8300 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571 272 2800.

Information regarding the status of an application or status information for publishing/unpublishing applications may be obtained from the Patent Application Information Retrieval (PAIR) system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the PAIR system, contact the Electronic Business Center (EBC) at toll free 866-217-9197.



Tuyet Vo

Primary Examiner

December 26, 2005